IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

In Re Cincinnati Policing	: Case No. C-1-99-3170 : District Judge Susan J. Dlott :
*****************	*****************
Elsie Carpenter	:
Plaintiff	: Case No. C-1-99-227
v.	: District Judge Susan J. Dlott :
City of Cincinnati et al.	; ;
Defendants	: :
*****************	********************************
Angela Leisure et al.	:
Plaintiffs	: Case No. C-1-01-286 :
v.	: District Judge S. Arthur Spiegal
City of Cincinnati et al.	: :
Defendants	: :

Bomani A. Tyehimba : Case No. C-1-99-317 **Plaintiff** District Judge Susan J. Dlott ٧. Donald Luck et al. **Defendants** Mark A. Ward et al. : : Case No. C-1-99-494 **Plaintiffs** District Judge Susan J. Dlott \boldsymbol{v}_{\star} City of Cincinnati et al. **Defendants** Antonio Johnson et al. Case No. C-1-99-1063 **Plaintiffs** District Judge Susan J. Dlott v. Donald Luck et al. **Defendants Matthew Shaw** Case No. C-1-99-1064 Plaintiff District Judge Susan J. Dlott \boldsymbol{V}_{\bullet} Donald Luck et al. **Defendants**

Charles A. Wiley Case No. C-1-00-267 **Plaintiff** District Judge Susan J. Dlott \mathbf{v}_{\star} City of Cincinnati et al. **Defendants** Lisa Youngblood-Smith : Case No. C-1-00-434 Plaintiff District Judge Susan J. Dlott v. Charles Garner et al. **Defendants** Vincent Clark et al. Case No. C-1-02-645 **Plaintiffs** District Judge Susan J. Dlott v. City of Cincinnati et al. **Defendants** John Harris Case No. C-1-02-761 Plaintiff District Judge Susan J. Dlott v. City of Cincinnati et al. **Defendants**

Case 1:00-cv-00434-SJD Document 37 Filed 08/01/2007

Page 3 of 31

Paul Keith et al. Case No. C-1-02-777 **Plaintiffs** District Judge Susan J. Dlott v. City of Cincinnati et al. Defendants Roderick Glenn. Case No. C-1-02-760 Plaintiff District Judge Susan J. Dlott v. City of Cincinnati et al. **Defendants Arnold White** Case No. C-1-02-759 **Plaintiff** District Judge Susan J. Dlott \mathbf{v}_{\bullet} City of Cincinnati et al. **Defendants** Adell Stillwell Case No. C-1-02-763 Plaintiff District Judge Susan J. Dlott v, City of Cincinnati et al. Defendants

Shelia Barnes *et al.* :

Case No. C-1-02-758

Page 5 of 31

Plaintiff :

: District Judge Susan J. Dlott

:

:

City of Cincinnati et al.

v.

•

Defendants

MOTION TO TRANSFER THE REMAINING FUNDS IN THE IN RE CINCINNATI POLICING DAMAGE CLAIMS QUALIFED SETTLEMENT FUND TO THE UNCLAIMED FUNDS ACCOUNT OF THE DISTRICT COURT

This matter comes before the Court on the joint motion of the individual plaintiffs in the above-captioned damages actions (collectively, the "Individual Plaintiffs), by and through their counsel of record, move this Court for an Order to: (i) permit Matthew L. Garretson, the fund administrator to deposit all the remaining funds in the In Re Cincinnati Policing Damage Claims Qualified Settlement Fund into the District Court's Unclaimed Funds account; (ii) direct all future correspondence regarding the funds held originally by the Qualified settlement fund to the District Court's Unclaimed Funds Division, and (iii) to issue an order closing the fund and releasing the Administrator of his duties. In support of this Motion Plaintiffs' respectfully state as follows:

- The In Re Cincinnati Policing Damage Claims Qualified Settlement Fund was established by Order of this Court on May 21, 2003.
- 2. The Order establishing the In Re Cincinnati Policing Damage Claims Qualified Settlement fund States in relevant part:

¹ By name the Individual Plaintiffs are Elsie Carpenter, Angela Leisure (Harper Now), Bomani Tyehimba, Mark Ward, Ronald Cutherbertson, Antonio Johnson, Matthew Shaw, Charles Wiley, Lisa Youngblood-Smith, Vincent Clark, Terry Horton, Hohn Harris, Stephanie Keith, Paul Keith, Enrico Martin, Roderick Glenn, Arnold White, Adell Stillwell, and Sheila Barnes.

- a. Upon completion of all Fund Agreements and final distribution of all monies to be paid into the Fund, the Fund Administrator shall submit an accounting to the Court along with all its receipts. After notice as been given by the fund, the Court shall enter an Order closing the Fund administration and discharging the fund administrator from any further responsibility with respect to the fund.
- 3. Attached as Exhibit A is a most recent and final accounting of the funds.
- 4. Attached as Exhibit B contains the certified mail receipts that were returned to the administrator as undeliverable following the administrator's attempt to disburse the final remaining funds that remained in the QSF, which stemmed from a 2005 tax refund. In an effort to ensure that each plaintiff received their share of the tax refund the Administrator verified each plaintiff's most recent mailing address through Hamilton County Public Records.
- Exhibit C contains the names of the individuals as well as their respective dollar amounts that remain unclaimed.
- 6. The Fund Administrator has completed his duties in regards to this fund.

Alphonse Gerhardstein Attorney for Plaintiffs

1409 Enquirer Building 617 Vine Street #1409

Cincinnati, OH 45202-2418

Filed 08/01/2007 Page 7 of 31

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing MOTION TO TRANSFER

THE REMAINING FUNDS... was served upon the following, via ordinary U.S. mail,

postage-prepaid, this 1 day of Avg, 2007 And on all persons sugred up through ECF.

Matthew L. Garretson, QSF Administrator The Garretson Law Firm 7775 Cooper Road Cincinnati, OH 45242

Alphonse Gerhardstein
Attorney for Plaintiffs

Exhibit A

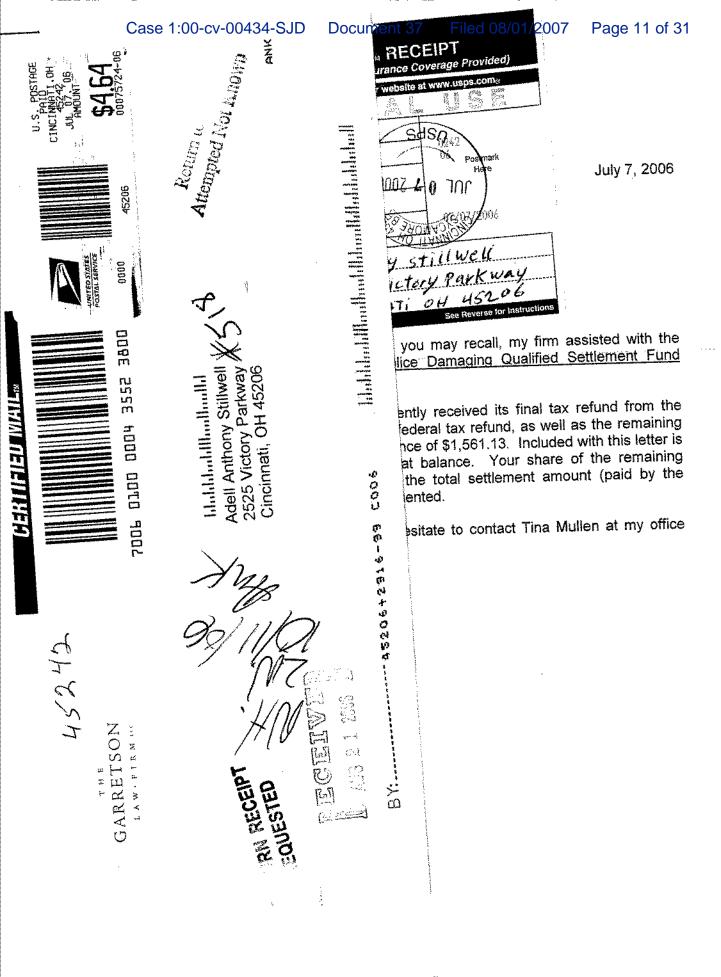
In Re Cinti Police QSF

7/30/2007 2:54 PM

Register: L M Kohn - In Re Cinti Police From 01/01/2005 through 07/30/2007 Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	<u>c</u> .	Deposit	Balance
12/31/2005			Beginning Balance				1,471.82	1,471.82
01/31/2006		L M Kohn	Dividend Income - DI	Deposit			4.07	1,475.89
02/28/2006		L M Kohn	Dividend Income - DI	Deposit			4.13	1,480.02
03/06/2006		United States Treasury	Tax Payment - TP	2005 Tax Refund			130.00	1,610.02
03/06/2006		United States Treasury	Interest Income	Tax Ref			7.55	1,617.57
03/08/2006	966528	Saltz, Shamie & Gol	Accounting Fees - ACC	2005 Tax Issues	65.00			1,552.57
03/08/2006	966847	Saltz, Shamie & Gol	Accounting Fees - ACC	2005 Tax Issues	13.00			1,539.57
03/31/2006		L M Kohn	Dividend Income - DI	Deposit			5.19	1,544.76
04/28/2006		L M Kohn	Dividend Income - DI	Deposit			4.74	1,549.50
05/31/2006		L M Kohn	Dividend Income - DI	Deposit			5.32	1,554.82
06/30/2006		L M Kohn	Dividend Income - DI	Deposit			5.76	1,560.58
07/06/2006		L M Kohn	Dividend Income - DI	Deposit			0.55	1,561.13
07/06/2006	981933	Sheila Barnes	Claimant Cash Distribu	VOID:		X		1,561.13
07/06/2006	981934	Fred & Elsie Carpenter	Claimant Cash Distribu	VOID:		X		1,561.13
07/06/2006	981935	Vincent Clark	Claimant Cash Distribu	VOID:		X		1,561.13
07/06/2006	981936	Ronald Cuthbertson	Claimant Cash Distribu		20.63			1,540.50
07/06/2006	981937	Glen Roderick	Claimant Cash Distribu	VOID:		X		1,540.50
07/06/2006	981 9 38	John Harris	Claimant Cash Distribu	VOID:		X		1,540.50
07/06/2006	981939	Terry Horton	Claimant Cash Distribu	VOID:		X		1,540.50
07/06/2006	981940	Antonio Johnson	Claimant Cash Distribu	VOID:		X		1,540.50
07/06/2006	981941	Paul & Stephanie Ke	Claimant Cash Distribu		31.02			1,509.48
07/06/2006	981942	Angela D Leisure	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981943	Enrico G. Martin	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981944	Matthew Shaw	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981945	Tony Stillwell	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981946	Bomani Tyehlmba	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981947	Mark Ward	Claimant Cash Distribu	VOID:		X		1,509.48
07/06/2006	981948	Arnold White	Claimant Cash Distribu		31.02			1,478.46
07/06/2006	981949	Charles Wiley	Claimant Cash Distribu		25.75			1,452.71
07/06/2006	981950	Lisa Youngblood-Sm	Claimant Cash Distribu		31.02			1,421.69
07/25/2006		L M Kohn	Overnight Mail Fee - O		10.00			1,411.69
09/12/2006		L M Kohn	Dividend Income - DI		0.26			1,411.43
11/01/2006	996629	Angela D Leisure Ha	Claimant Cash Distribu		517.03			894.40
11/06/2006	997170	Fred & Elsie Carpenter	Claimant Cash Distribu		569.14			325.26
06/30/2007		L M Kohn	Dividend Income - DI	Deposit			0.12	325.38
07/10/2007		Bomani Tyehlmba	Claimant Cash Distribu		51.65			273.73
07/23/2007		L M Kohn	Dividend Income - DI	Deposit			0.57	274.30
07/24/2007	1030826	Hamilton County Cle	Claimant Cash Distribu	Paid to Clerk o	274.30			0.00

Exhibit B





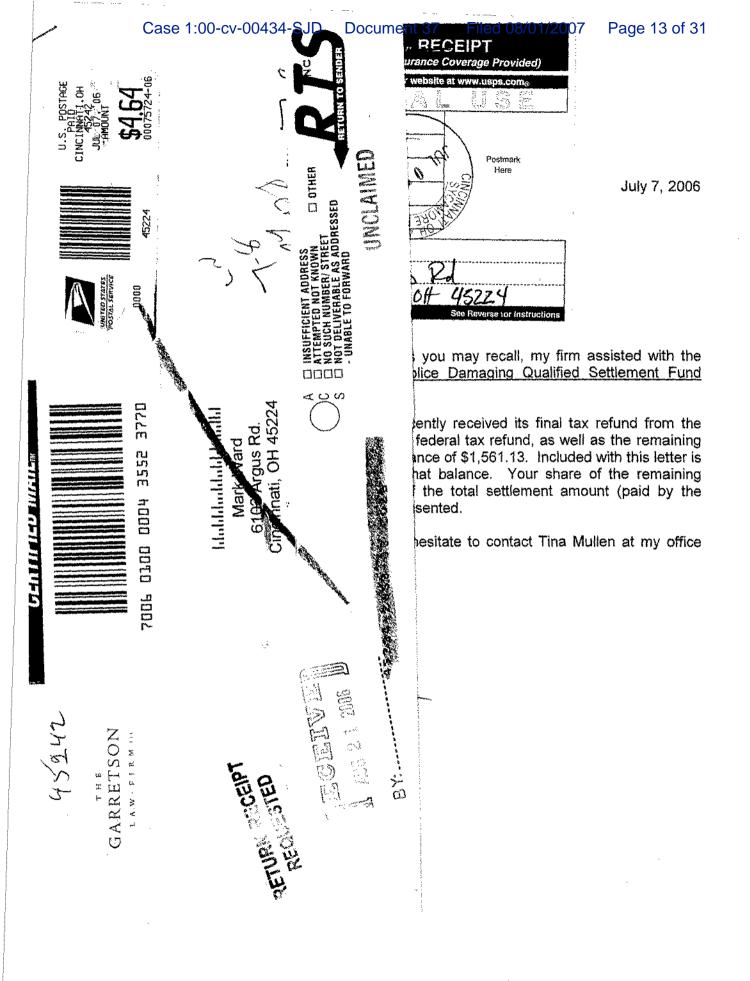
July 7, 2006

I hope this letter finds you doing well. As you may recall, my firm assisted with the administration of the In Re Cincinnati Police Damaging Qualified Settlement Fund ("QSF") from which you received an award.

I am pleased to tell you that the QSF recently received its final tax refund from the United States Treasury. As a result of this federal tax refund, as well as the remaining accrued interest, the QSF has a current balance of \$1,561.13. Included with this letter is a check for your proportionate share of that balance. Your share of the remaining balance is based upon the percentage of the total settlement amount (paid by the Defendant) that your settlement award represented.

If you have any questions, please do not hesitate to contact Tina Mullen at my office (513-794-0400).

Kindest Regards,





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Kindest Regards,

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RETURN RECEIPT

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July 7, 2006

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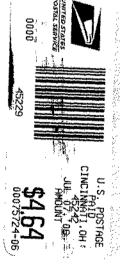
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hesitate to contact Tina Mullen at my office

Shelia Barnes 1607 Asman Ave. #4 Cincinnati, OH 45229



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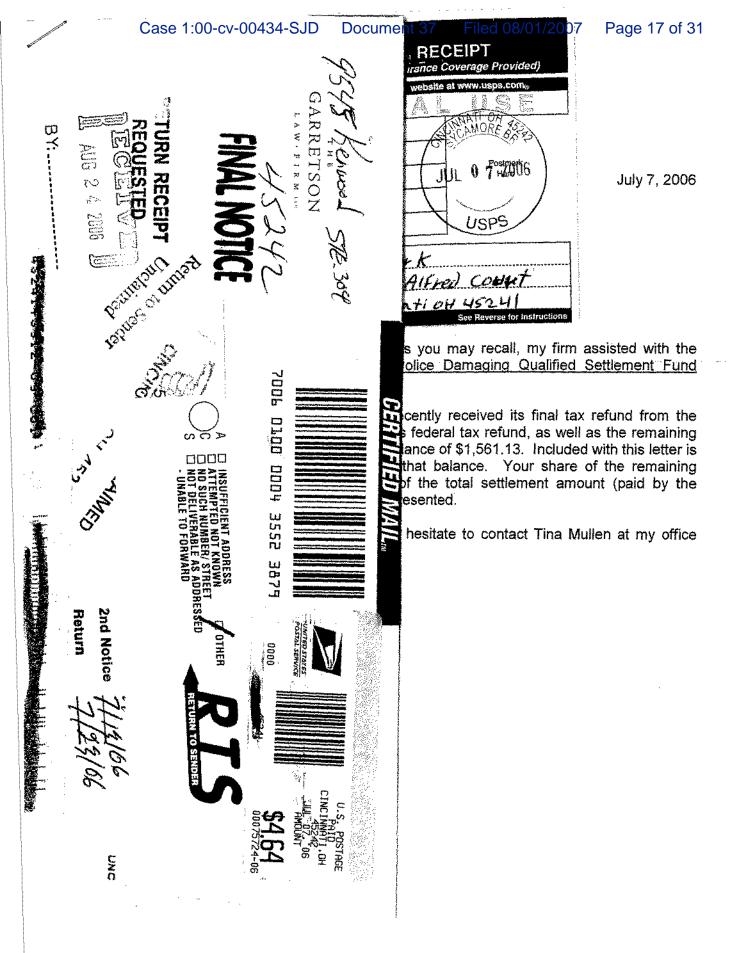
www.garretsonfirm.com 513 794 0400 phone 513 936 5186 fax 9545 Kenwood Road, Suite 304 Cincinnati, OH 45242 I hope this letter finds you doing well. As you may recall, my firm assisted with the administration of the <u>In Re Cincinnati Police Damaging Qualified Settlement Fund</u> ("QSF") from which you received an award.

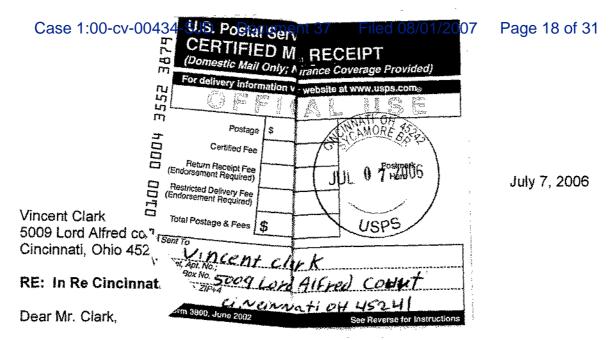
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Dear Ms. Barnes:



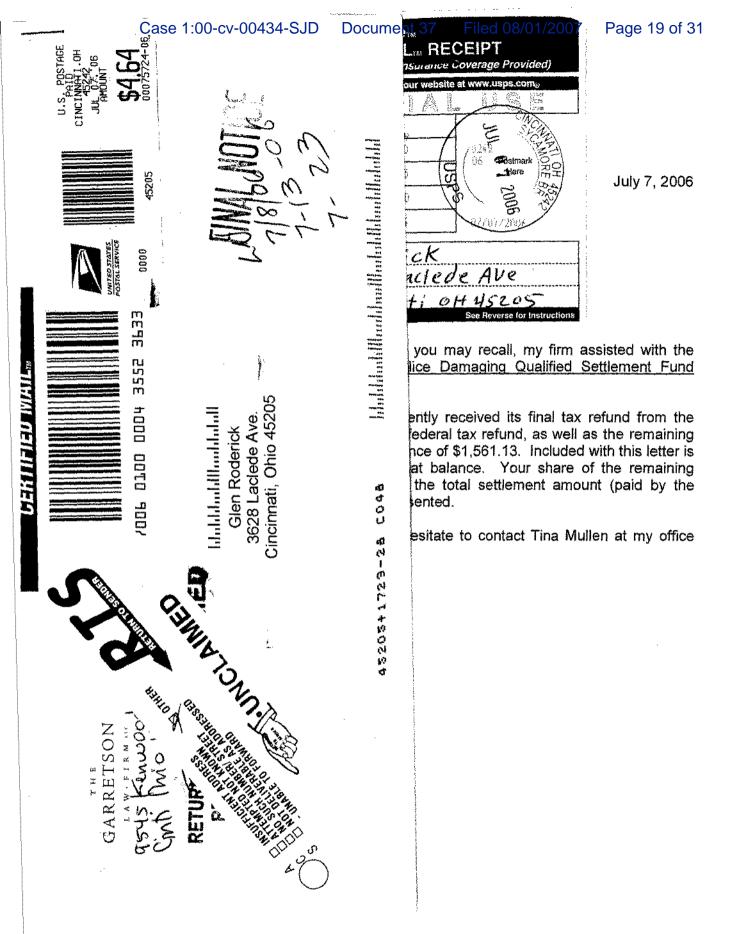


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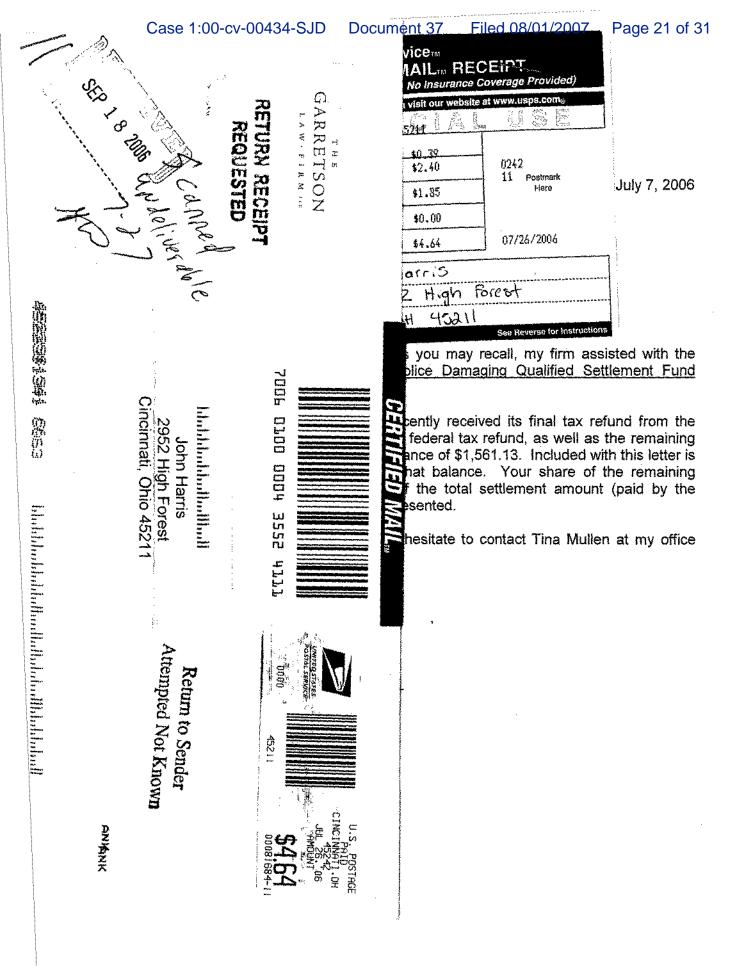


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Case 1:00-cv-0043	4-5	U.S. Postal S CERTIFIED		CENT	Page 22 of 31
		For delivery informa	ation visit our website		
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John Harris		Restricted Delivery Fee (Endorsement Required)	\$0.00		;
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Cincinnati, Ohio 4520		Sent Tohn	Harris		
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Dear Mr. Harris,		Cipy State, ZIP+4, Cincinnati	OH 45211		
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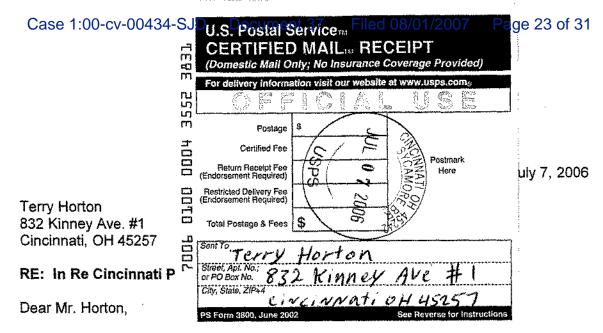
TO THE REPORT OF THE PARTY OF T

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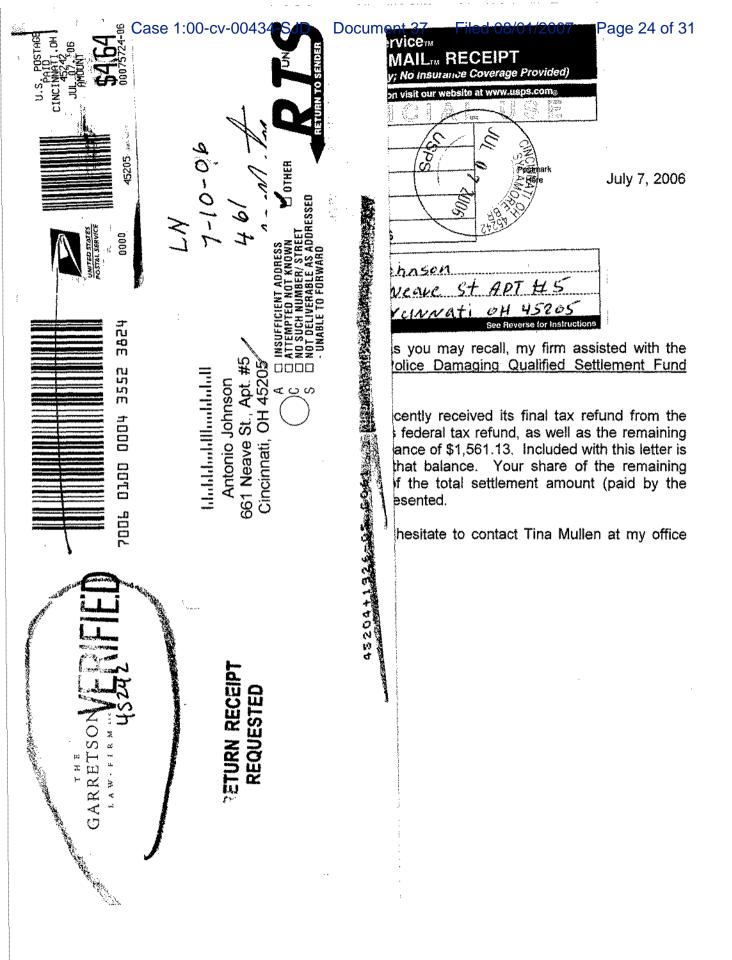
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Kindest Regards,

Settlement Administrator

Busc: Nor was returned.





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July 7, 2006

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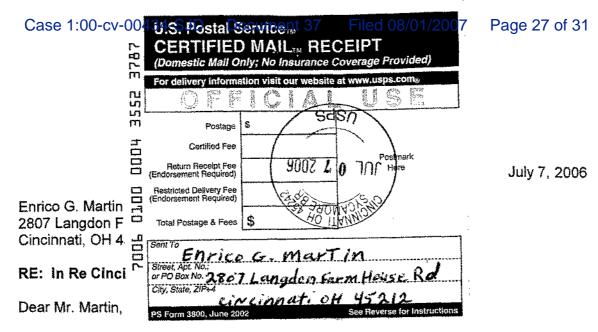
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II...I.II...II...II..II..I Enrico G. Martin 2807 Langdon Farm House Rd. Cincinnatí, OH 45212

D M



www.garretsonfirm.com 513 794 0400 *phone* 513 936 5186 fax 9545 Kenwood Road, Suite 304 Cincinnati, OH 45242

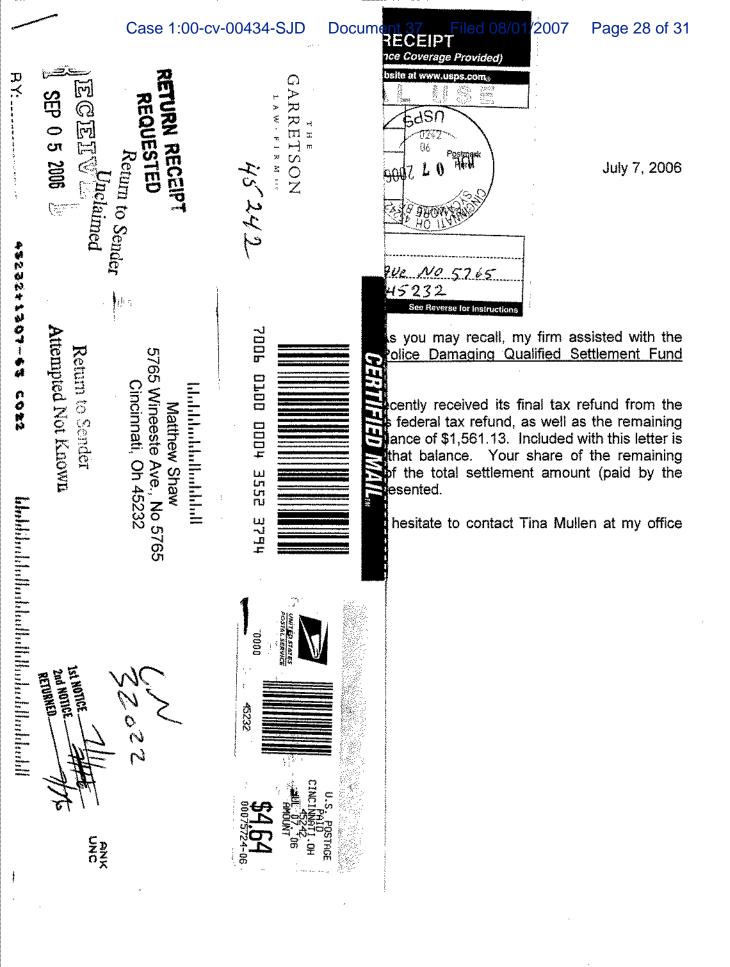


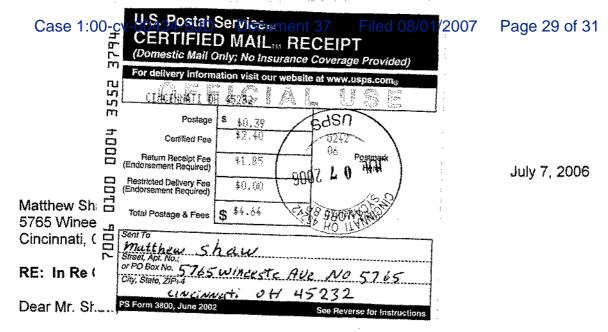
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Kindest Regards,

Exhibit C

Claimant's Name	Amount Remaining in Fund		
Tony Stillwell	\$20.68		
Mark Ward	\$23.33		
Sheila Barns	\$25.80		
Vincent Clark	\$38.88		
Glen Roderick	\$31.10		
John Harris	\$46.65		
Terry Horton	\$38.88		
Antonio Johnson	\$25.81		
Enrico Martin	\$18.04		
Matthew Shaw	\$5.13		